

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/1/2016	(3) CONTACT/PHONE Terry Wahler, Senior Planner, (805) 781-5621	
(4) SUBJECT Hearings to consider resolutions for seven proposals to establish or amend agricultural preserves (AGP2015-00006/Schroeder; AGP2015-00007/Schroeder; AGP2015-00008/White; AGP2015-00009/Warren; AGP2015-00010/Las Piletas Ranch; AGP2016-00001/Anderson; and AGP2016-00002/Costa). Exempt from CEQA. Districts 1, 2 and 5.			
(5) RECOMMENDED ACTION  It is recommended that the Board: <ol style="list-style-type: none"> <li>1. Consider the attached staff reports and recommendations of the Agricultural Preserve Review Committee and the Planning Commission;</li> <li>2. Hold public hearings;</li> <li>3. Act on the individual requests in the staff report and instruct the chairperson to sign the resolutions for Items A through G; and</li> <li>4. Direct the Clerk to record the resolutions for Items A through G.</li> </ol>			
(6) FUNDING SOURCE(S) Application Fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing ( <u>Time Est. 30 minutes</u> ) <input type="checkbox"/> Board Business (Time Est.____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)  N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 1, District 2, District 5			

## County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Terry Wahler, Senior Planner

VIA: Ellen Carroll, Planning Manager / Environmental Coordinator

DATE: 11/1/2016

SUBJECT: Hearings to consider resolutions for seven proposals to establish or amend agricultural preserves (AGP2015-00006/Schroeder; AGP2015-00007/Schroeder; AGP2015-00008/White; AGP2015-00009/Warren; AGP2015-00010/Las Piletas Ranch; AGP2016-00001/Anderson; and AGP2016-00002/Costa). Exempt from CEQA. Districts 1, 2 and 5.

### **RECOMMENDATION**

It is recommended that the Board:

1. Consider the attached staff reports and recommendations of the Agricultural Preserve Review Committee and the Planning Commission;
2. Hold public hearings;
3. Act on the individual requests in the staff report and instruct the chairperson to sign the resolutions for Items A through G; and
4. Direct the Clerk to record the resolutions for Items A through G.

### **DISCUSSION**

#### **Background**

The objectives of the San Luis Obispo County Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or Williamson Act, are to protect agricultural lands for continued production of food and fiber and limited types of land devoted to open-space and recreational uses.

An agricultural preserve is established by landowner request in an area devoted to an agricultural use, recreational use, and/or an open-space use as defined in and established in accordance with the California Land Conservation Act of 1965. Establishment of an agricultural preserve is a prerequisite for landowners to enter into land conservation contracts with the county. A land conservation contract is a contract entered into by and between the property owner and lien holders (if any) and the county to enforceably restrict the use of the land for agricultural and compatible uses for a minimum term of 10 years.

These seven applications to establish agricultural preserves or amend existing agricultural preserves include a detailed staff report and a proposed resolution with a map exhibit reflecting each action being taken. These seven items include a limited liability company, family trusts and individuals as property owners. These applications will, upon execution of Land Conservation Contracts, result in approximately

4,322 acres of land being added to the Williamson Act program. We anticipate that the landowners will enter into Land Conservation Contracts by the end of the year.

#### **LIST OF APPLICATIONS**

- A. AGP2015-00006 – Proposal by Schroeder Trust to amend an existing Agricultural Preserve to alter the boundaries and decrease the minimum parcel size for conveyance of parcels from 640 acres to 320, to enable the landowner to rescind two existing Land Conservation Contracts and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The parcel consists of approximately 402 acres within the Agriculture land use category and is located on both sides of Tucker Canyon Road, approximately 1.5 miles northeast of Shandon San Juan Road, and approximately 2.5 miles southeast of the community of Shandon. The site is in the Shandon-Carrizo Sub-area of the North County Planning Area. Assessor Parcel No: 017-261-021 (portion); Supervisor District 1
- B. AGP2015-00007 – Proposal by Schroeder Trust to amend an existing Agricultural Preserve to alter the boundaries and decrease the minimum parcel size for conveyance of parcels from 640 acres to 320, to enable the landowner to rescind three existing Land Conservation Contracts and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The parcel consists of approximately 638 acres within the Agriculture land use category and is located on both sides of Tucker Canyon Road, approximately 1.5 miles northeast of Shandon San Juan Road, and approximately 3.0 miles southeast of the community of Shandon. The site is in the Shandon-Carrizo Sub-area of the North County Planning Area. Assessor Parcel Nos: 017-261-015 and 021 (portion); Supervisor District 1
- C. AGP2015-00008 – Proposal by George White to amend an Agricultural Preserve to alter the boundaries of the preserve, rescind an existing Land Conservation Contract to enable the landowner to enter into a new Land Conservation Contract to reflect revised property boundaries from a Lot Line Adjustment. The property consists of approximately 155 acres located within the Agriculture land use category, at 17999 East Highway 46, approximately 1.5 miles west of Bitterwater Road, east of the community of Shandon. The site is in the Shandon-Carrizo subarea of the North County planning area. Assessor Parcel Nos: 017-131-048, 049, 050, 051 & 052; Supervisor District 1
- D. AGP2015-00009 – Proposal by David Warren Ranch/Dawn Dunlap to establish an agricultural preserve to enable the applicant to enter into a land conservation contract for two discontinuous properties. The properties consist of approximately 1,326 acres within the Rural Lands and Agriculture land use categories. The southern property is located approximately 4.0 miles east of Cambria on Cinnabar Rock Trail, approximately 1.0 mile north of Santa Rosa Creek Road and the northern property is located approximately 8.0 miles north east of Cambria and 4.0 miles north of Santa Rosa Creek Road extending northerly approximately 2.3 miles. Both properties are in the Adelaida Sub-area of the North County planning area. Assessor Parcel Nos: 014-071-016, 040 & 041; 014-061-022, 032 & 033; 080-141-008; 080-171-014 & 015; Supervisor District 2
- E. AGP2015-00010 – Proposal by Las Pileas Ranch, LLC to amend an existing Agricultural Preserve to enable the landowner to add approximately 2,430 acres to the existing Land Conservation Contract. The property to be added is in two parcel groupings, 160 acres located 2.0 miles due east of the intersection of San Juan Creek Road and Hay Canyon Road and 2,270 acres located west of and abutting Branch Mountain Road, west of and abutting the Village of California Valley and approximately one half mile south of the Topaz Solar facility. The site is in the Shandon-Carrizo Sub-area of the North County Planning Area. Assessor Parcel Nos: 072-131-006, 072-191-005, 072-191-014, 072-201-005, 072-201-006; Supervisor District 5

- F. AGP2016-00001 – Proposal by Doug Anderson to establish an Agricultural Preserve to enable the applicant to enter into a Land Conservation Contract. The property consists of approximately 350 acres located within the Agriculture land use category, at 2490 Toro Creek Road, approximately 4.5 miles northeast of the City of Morro Bay. The site is in the Adelaida subarea of the North County planning area. Assessor Parcel Nos: 046-212-023, 024, 025 and 073-069-001; Supervisor District 2
- G. AGP2016-00002 – Proposal by the Tony L. Costa Jr. Family Trust to establish an Agricultural Preserve to enable the applicant to enter into a Land Conservation Contract. The property consists of approximately 216 acres located within the Agriculture land use category, at 1407 Toro Creek Road approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida subarea of the North County planning area. Assessor Parcel No: 073-092-055; Supervisor District 2

### **OTHER AGENCY INVOLVEMENT/IMPACT**

These applications have been reviewed and recommended for approval by the Planning Commission and the Agricultural Preserve Review Committee. The latter body includes representatives from different organizations including the County Agricultural Liaison Committee, Agricultural Commissioner, Assessor's Office, Farm Advisor and County Department of Planning and Building. County Counsel approved the resolutions as to form and legal effect.

### **FINANCIAL CONSIDERATIONS**

Approval of agricultural preserve applications and ensuing land conservation contracts usually results in a significant reduction in county tax revenues received from the affected properties. Revenue losses have been in past years only partly compensated by state subventions but no subventions have been received since 2008/2009. However, the overall tax impacts should be considered on a program-wide basis rather than on an individual application basis.

The Assessor's Office has provided preliminary estimates of reductions in assessment values for the three properties being considered today for agricultural preserve establishment. The total estimated annual reduction in property taxes for the newly established agricultural preserve properties is \$56,525.

The landowners anticipate entering into new land conservation contracts at the latest by December 13, 2016, the last Board of Supervisors meeting date for the year.

### **RESULTS**

The amendments to agricultural preserves and the ensuing execution of a new land conservation contract (or amendment to an existing contract) between the property owner and the county will help keep these properties in agriculture and compatible uses for at least 10 years. This is consistent with the countywide Vision Statement & Communitywide Results of having healthy and prosperous communities.

### **ATTACHMENTS**

Attachment A1 – Resolution and Graphic for AGP2015-00006 – Schroeder Trust  
Attachment A2 – Staff Report  
Attachment A3 – CEQA Exemption Form

Attachment B1 – Resolution and Graphic for AGP2015-00007 – Schroeder Trust

Attachment B2 – Staff Report  
Attachment B3 - CEQA Exemption Form

Attachment C1 – Resolution and Graphic for AGP2015-00008 – George White  
Attachment C2 – Staff Report  
Attachment C3 - CEQA Exemption Form

Attachment D1 – Resolution and Graphic for AGP2015-00009 –David Warren Ranch  
Attachment D2 – Staff Report  
Attachment D3 - CEQA Exemption Form

Attachment E1 – Resolution and Graphic for AGP2015-00010 – Las Pileas Ranch, LLC  
Attachment E2 – Staff Report  
Attachment E3 - CEQA Exemption Form

Attachment F1 – Resolution and Graphic for AGP2016-00001 – Doug Anderson  
Attachment F2 – Staff Report  
Attachment F3 - CEQA Exemption Form

Attachment G1 – Resolution and Graphic for AGP2016-00002 –Tony L. Costa Jr. Family Trust  
Attachment G2 – Staff Report  
Attachment G3 - CEQA Exemption Form